



W.P.No.9647 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

W.P.No.9647 of 2021

T.Krishnamurthy

... Petitioner

VS

- 1.The District Collector,
Villupuram District.
- 2.The District Revenue Officer,
Tindivanam Taluk,
Villupuram District.
- 3.The Revenue Divisional Officer,
Tindivanam Taluk,
Villupuram.
- 4.The Tahsildar,
Marakkanam,
Tindivanam, Villupuram.
- 5.The Taluk Surveyor,
Land Survey,
Marakkanam Taluk,
Villupuram District.

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6.The Director,
Highways Department,
Marakkanam,
Tindivanam Taluk,
Villupuram District.

7.Latha

8.Munusamy

... Respondents

Writ Petition filed under Article 226 of The Constitution of India, 1950 praying to issue a Writ of Mandamus directing the respondents to remove the encroachment in the pathway made by the 7th and 8th respondents in S.No.6 of Thirukkanur Village, Marakkanam Taluk, Villupuram District and to restore the pathway based on the petitioner's representation dated 06.03.2021.

For Petitioner	:	Mr.M.Selvam
For R1 to R6	:	Mr.T.K.Saravanan Government Advocate
For R7 & R8	:	No appearance



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ORDER

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[Order of the Court was made by **K.RAJASEKAR, J.,**]

This writ petition has been filed seeking a mandamus for directing the respondents 1 to 6 to remove encroachments in land in Survey No.6 of Thirukkanur Village, Marakkanam Taluk, Villupuram District.

2.The case of the petitioner is that he is having a house at S.No.3/4B of the Thirukkanur Village and the pathway leading to his house is situated in S.No.6, which belongs to the Highways Authority. The private respondents 7 and 8 have encroached the Government land thereby, the petitioner's access to his house has been blocked, hence, the petitioner has come forward with this writ petition.

3.The respondents 1 to 6 were represented by Mr.T.K.Saravanan, learned Government Advocate. Respondents 7 and 8/private respondents though served with notice and their name is also printed in the cause list, they have not entered appearance either in person or through counsel.



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4.The learned State counsel has filed counter of 6th respondent, in which, it is stated that based on the representations submitted by the petitioner, a joint inspection with the revenue authorities was conducted by the Highways Authority and they have surveyed the land not only for removal of encroachment in S.No.6 and also for access to the petitioner's house.

5.The counter of the 6th respondent further reveals that as per the joint inspection, the encroachment in S.No.6 was found and the same was removed. Further, the access to the petitioner's house was also ascertained and the petitioner is not having any direct access to the Highway. However, he is having access only on the northern side. This information was also passed on to the petitioner.

6.Considering the limited prayer in this case for removal of encroachment, as submitted by the 6th respondent, the survey has been conducted and encroachment in S.No.6 of Thirukkanur Village, Marakkanam Taluk, Villupuram District has been removed and the



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petitioner has also been duly informed about his right of access, we are of the view that no further orders in this matter is required and the writ petition is disposed of. There shall be no order as to costs.

(M.S.,J.)

(K.R.S.,J.)

02.12.2024

Index : Yes / No
Internet : Yes/No
Speaking order / Non-speaking order
Neutral Citation : Yes / No
rsi

To

- 1.The District Collector,
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- 2.The District Revenue Officer,
Tindivanam Taluk,
Villupuram District.
- 3.The Revenue Divisional Officer,
Tindivanam Taluk,
Villupuram.
- 4.The Tahsildar,
Marakkanam,
Tindivanam, Villupuram.

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K.RAJASEKAR, J.,**

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5.The Taluk Surveyor,
Land Survey,
Marakkanam Taluk,
Villupuram District.

6.The Director,
Highways Department,
Marakkanam,
Tindivanam Taluk,
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